

REMARKS

Claims 1-5, 8, 11-13, 16 and 19-26 are pending. By this amendment, claims 1, 2 and 21 are amended.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Le in the June 4, 2008 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Restriction was required and Applicants elected claims 1-5, 8, 11-13, 16, 19 and 20. With respect to non-elected claims 21-26, it is respectfully requested that they be rejoined as they are directed to the structure substantially found in Figs. 2 and 3, which is the same structure that makes up the subject matter of claim 1. Thus, claims 21-26 are drawn to the same species and should be considered.

Applicants appreciate the indication of allowable subject matter in claim 20.

Claims 1-5, 8, 11-13, 16 and 19 were rejected under 35 U.S.C. §103(a) over Yamaguchi et al. (Yamaguchi), U.S. Patent No. 6,166,498, in view of Matsuura et al. (Matsuura), U.S. Patent No. 5,460,234. The rejection is respectfully traversed.

Claim 1 calls for a power unit being rigidly mounted to a drive unit and a control unit being flexibly supported on the drive unit using a vibration proof mechanism.

Pages 4-6 of the Office Action asserts that "immovably mounted" is not clear and does not particularly point out and distinctly claim the invention. In an effort to clarify claim 1, "immovably mounted" has been changed to "rigidly mounted" in response to the Examiner's assumption that the power unit is rigidly fixed or joined or secured or connected to the drive unit by way of their common connections or mounts. Applicants' Fig. 2, for example, clearly illustrates a power unit that is rigidly mounted to the drive unit.

In an effort to further clarify claim 1, "movably supported" has been changed to "flexibly supported." Applicants' Fig. 2, for example, also clearly illustrates a control unit that is flexibly supported on the drive unit using a vibration proof mechanism.

Yamaguchi fails to disclose or suggest all of the features recited in claim 1 because both of Yamaguchi's power unit and control unit are rigidly mounted to the drive unit. Page 2 of the Office Action identifies Yamaguchi's inverter unit 50 and inverters 53, 54 as the power unit of claim 1, and Yamaguchi's inverter case 46, top wall 49 and control unit 51 as the control unit of claim 1. As is clear from Figs. 1 and 3, for example, Yamaguchi's inverter unit 50, inverters 53, 54, inverter case 46, top wall 49, and control unit 51 are all rigidly mounted to the drive unit case 10.

Yamaguchi thus fails to suggest any structure that is flexibly supported to the drive unit case 10 or a control unit that is flexibly supported on the drive unit as called for by claim 1. As admitted on page 3 of the Office Action, Yamaguchi fails to disclose a vibration proof mechanism. As a result, Yamaguchi fails to disclose or suggest a power unit that is rigidly mounted to a drive unit while a control unit is flexibly supported on the drive unit as called for by claim 1.

Matsuura discloses a motor vehicle where the batteries and the control unit are integrally disposed near the motor (col. 10, lines 64-66). As illustrated in Fig. 9, Matsuura discloses a battery box cover 80 that houses an electronic controller 83 and a motor driver 84a. The battery box cover 80 is a part of the battery support frame 72 that is suspended by a rubber damper 76 to the frame member 6₁ (Fig. 10 and col. 5, lines 31-35). Both of Matsuura's electronic controller 83 and motor driver 84a are thus flexibly supported on the drive unit.

During the June 4, 2008 personal interview, the Examiner stated that he could not determine whether the battery box cover 80 of Matsuura's Fig. 10, which is a part of the

battery support frame 72, is flexibly or rigidly mounted to the drive unit. As illustrated by Matsuura's Fig. 10, the battery box cover 80 is clearly suspended by a rubber damper 76. Matsuura's battery box cover 80 thus cannot be rigidly mounted because of the rubber damper 76.

As a result, Matsuura also fails to disclose or suggest a power unit that is rigidly mounted to a drive unit while a control unit is flexibly supported on the drive unit as called for by claim 1.

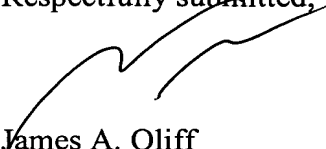
Even if Yamaguchi and Matsuura were combined as suggested in the Office Action (which Applicants do not admit would have been obvious), the combination of Yamaguchi and Matsuura fails to disclose or suggest all of the features of claim 1. Taken as a whole, even if Matsuura's alleged base and vibration proof mechanism were incorporated into Yamaguchi, then both of Yamaguchi's control unit and power unit would be flexibly supported. There is nothing in Yamaguchi or Matsuura to suggest that Yamaguchi's control unit is flexibly supported while Yamaguchi's power unit remains rigidly supported.

It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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Attachment:
Request for Continued Examination

Date: June 4, 2008

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